

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 08-42 As Amended

Introduced by Council President Boniface at the request of the County Executive

Legislative Day No. 08-20 Date August 5, 2008

AN ACT to repeal Part 4, Deer Creek Scenic River District, of Chapter 267, Zoning; and to add new Article XXVIII, Deer Creek Scenic River Advisory Board, to Part 3, Authoritative Boards and Commissions, of Chapter 9, Boards, Commissions, Councils and Agencies, all of the Harford County Code, as amended; to provide for uniformity by keeping the boards and commissions in one chapter of the Harford County Code, as amended.

By the Council, August 5, 2008

Introduced, read first time, ordered posted and public hearing scheduled

on: September 2, 2008

at: 6:30 p.m.

By Order: Barbara J. O'Connor, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on September 2, 2008, and concluded on September 2, 2008.

Barbara J. O'Connor, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

Section 1. Be It Enacted By The County Council of Harford County, Maryland that Part 4, Deer Creek Scenic River District, of Chapter 267, Zoning, of the Harford County Code, as amended, be, and it is hereby, repealed; and that new Article XXVIII, Deer Creek Scenic River Advisory Board, be, and it is hereby, added to Part 3, Authoritative Boards and Commissions, of Chapter 9, Boards, Commissions, Councils and Agencies, of the Harford County Code, as amended, all to read as follows:

Chapter 9. BOARDS, COMMISSIONS, COUNCILS AND AGENCIES

Part 3. Authoritative Boards and Commissions

ARTICLE XXVIII. DEER CREEK SCENIC RIVER ADVISORY BOARD

§ 9-176.25. ESTABLISHMENT; MEMBERSHIP.

THE LOCAL DEER CREEK SCENIC RIVER ADVISORY BOARD, ESTABLISHED IN ACCORDANCE WITH § 8-403(G) OF THE NATURAL RESOURCES ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AS AMENDED, SHALL BE COMPOSED OF 9 MEMBERS, ALL OF WHOM ARE RESIDENTS OF HARFORD COUNTY. THE LOCAL ADVISORY BOARD SHALL BE APPOINTED BY THE COUNTY EXECUTIVE, SUBJECT TO THE APPROVAL OF THE COUNTY COUNCIL OF HARFORD COUNTY. THE BOARD MEMBERSHIP SHALL CONSIST OF 5 MEMBERS WHO SHALL RESIDE IN THE DEER CREEK WATERSHED, 1 MEMBER REPRESENTING THE HARFORD COUNTY SOIL CONSERVATION DISTRICT AND 3 MEMBERS WHO SHALL BE RESIDENTS OF THE COUNTY WHO DO NOT OWN LAND CONTIGUOUS TO DEER CREEK.

§ 9-176.26. PURPOSE.

THE PURPOSE OF THE BOARD SHALL BE TO ADVISE THE COUNTY EXECUTIVE ON THE PRESERVATION OF DEER CREEK AS A FREE FLOWING STREAM, WITHOUT ADDITIONAL IMPOUNDMENTS OR DIVERSIONS, WITH THE EXCEPTION OF

1 AGRICULTURAL USES, AND TO PRESERVE AND PROTECT ITS NATURAL AND
2 CULTURAL VALUES FOR PRESENT AND FUTURE GENERATIONS.

3 **§ 9-176.27. CHAIRMAN; TERMS OF OFFICE.**

4 A. THE MEMBERS OF THE BOARD SHALL SELECT FROM AMONG ITS
5 MEMBERS A CHAIRMAN.

6 B. DURING THE INITIAL TERM, 3 OF THE MEMBERS SHALL BE APPOINTED TO
7 SERVE TERMS OF 1 YEAR, 3 OF THE MEMBERS SHALL BE APPOINTED TO SERVE TERMS
8 OF 2 YEARS, AND 3 OF THE MEMBERS SHALL BE APPOINTED TO SERVE TERMS OF 3
9 YEARS. THEREAFTER, THE MEMBERS SHALL SERVE FOR PERIODS OF 3 YEARS FROM
10 THE DATES OF THE APPOINTMENTS.

11 C. ANY MEMBER MISSING 3 CONSECUTIVE MEETINGS SHALL BE DEEMED TO
12 HAVE TERMINATED HIS OR HER MEMBERSHIP ON THE BOARD UNLESS THE BOARD
13 SHALL, BY MAJORITY VOTE, EXCUSE ONE OR MORE OF THE ABSENCES.

14 **§ 9-176.28. QUORUM.**

15 A MAJORITY OF THE BOARD SHALL CONSTITUTE A QUORUM FOR THE
16 TRANSACTION OF BUSINESS, AND A MAJORITY VOTE OF THE MEMBERS PRESENT
17 SHALL BE NECESSARY TO TRANSACT BUSINESS.

18 **§ 9-176.29. SALARIES AND COMPENSATION.**

19 MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION BUT MAY
20 BE REIMBURSED FOR NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF
21 THEIR DUTIES.

22 **§ 9-176.30. POWERS AND DUTIES.**

23 THE POWERS AND DUTIES OF THE BOARD SHALL BE AS FOLLOWS:

1 A. TO INITIATE AND RECOMMEND POLICIES AND REGULATIONS TO THE
2 COUNTY EXECUTIVE TO ENHANCE AND PROTECT THE QUALITY OF DEER CREEK.

3 B. TO REVIEW STUDIES, PROPOSED PROGRAMS AND RULES FORMULATED
4 BY FEDERAL, STATE AND LOCAL GOVERNMENTAL AGENCIES THAT CONCERN DEER
5 CREEK AND TO MAKE RECOMMENDATIONS CONCERNING SUCH PROPOSALS TO THE
6 COUNTY EXECUTIVE.

7 C. TO REVIEW AND MAKE RECOMMENDATIONS TO THE COUNTY
8 EXECUTIVE CONCERNING MANAGEMENT AND PRESERVATION OF THE SCENIC,
9 AGRICULTURAL AND WILD QUALITIES OF DEER CREEK, WITH RESPECT TO SUCH
10 ACTIVITIES AS FISHING, HUNTING, HIKING, HORSEBACK RIDING, NATURAL AND
11 GEOLOGICAL INTERPRETATIONS AND SCENIC APPRECIATION.

12 D. TO REVIEW AND MAKE RECOMMENDATIONS TO THE COUNTY
13 EXECUTIVE CONCERNING THE USE OF THE STUDY AND PLAN PREPARED BY THE
14 DEPARTMENT OF NATURAL RESOURCES FOR DEER CREEK, EVALUATING ITS
15 SHORELINE AND RELATED LAND IN TERMS OF ZONING, PARKS AND RECREATIONAL
16 AREAS FOR PUBLIC AND PRIVATE USE.

17 E. TO REVIEW AND MAKE RECOMMENDATIONS TO THE COUNTY
18 EXECUTIVE CONCERNING NEW CONSTRUCTION AND DEVELOPMENT ALONG DEER
19 CREEK.

20 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date
21 it becomes law.

EFFECTIVE: November, 10, 2008

BILL NO. 08-42
As Amended

The Council Administrator does hereby certify that fifteen (15) copies of this Bill are immediately available for distribution to the public and the press.



Council Administrator

HARFORD COUNTY BILL NO. 08-42 As Amended

Brief Title Relocation in Code – Deer Creek Scenic River Advisory Board

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Barbara J. O'Connor
Council Administrator

Date September 2, 2008

ENROLLED

Billy Bonifant
Council President

Date September 2, 2008

BY THE COUNCIL

Read the third time.

Passed: LSD 08-22

Failed of Passage: _____

By Order

Barbara J. O'Connor
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 3rd day of September, 2008 at 3:00 p.m.

Barbara J. O'Connor
Council Administrator



BY THE EXECUTIVE

David R. Craig
COUNTY EXECUTIVE

APPROVED: Date September 9, 2008

BY THE COUNCIL

This Bill No. 08-42 As Amended, having been approved by the Executive and returned to the Council, becomes law on September 9, 2008.

EFFECTIVE DATE November 10, 2008

Barbara J. O'Connor / mkt
Barbara J. O'Connor,
Council Administrator